

# NEBRASKA ADMINISTRATIVE CODE

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## TITLE 291 NEBRASKA PUBLIC SERVICE COMMISSION

### CHAPTER 15 — ENHANCED WIRELESS 911 SERVICES RULES AND REGULATIONS

#### 001 GENERAL.

001.01 DEFINITIONS. As used in this chapter, unless the context otherwise requires, the following definitions apply.

001.01(A). ~~Advisory Board~~ Committee means the ~~Enhanced Wireless 911~~ Service System ~~Advisory Board~~ Committee.

001.01B. ~~Automatic number identification (ANI) means a feature by which a person calling a PSAP has his or her ten-digit telephone number simultaneously forwarded to the PSAP and to the PSAP's display and transfer units.~~

001.01C01(B). ~~Commission~~ means the Nebraska Public Service Commission.

001.01D01(C). ~~E911 or enhanced 911~~ 911 service means a telephone exchange communications service by which one or more PSAPs designated by the governing body may receive telephone calls dialed to the telephone number 911. ~~E911 service generally may provide, but is not limited to, selective routing, ANI, and automatic location identification (ALI) features~~ has the same meaning as Neb. Rev. Stat. § 86-1018.

001.01E. ~~Enhanced wireless 911 service means a telephone exchange communications service by which wireless carriers can provide automatic number identification, pseudo automatic number identification, and wireless automatic location identification information to a PSAP which has capability of providing selective routing, selective transfer, fixed transfer, automatic number identification, and wireless automatic location identification.~~

001.01F01(D). ~~Fund~~ means the ~~Enhanced Wireless 911~~ Service System Fund.

001.01G01(E). ~~Funding year means the year for which funding is awarded under the permanent funding mechanism~~ Next Generation 911 (NG911) funding model from July 1 through June 30.

001.01H01(F). ~~Governing body means the board of county commissioners or supervisors of a county, the city council of a city, the board of trustees of a village, or the board of directors of any rural or suburban fire protection district.~~ has the same meaning as Neb. Rev. Stat. § 86- has the same meaning as Neb. Rev. Stat. § 86-1013.

001.01I01(G). ~~Home service provider means a telecommunications company that has contracted with a customer to provide wireless service.~~ has the same meaning as Neb. Rev. Stat. § 86-449.01.

001.01J. ~~911 service means a telephone service which provides a service user with the ability to reach a PSAP by dialing the digits 911 for the purpose of reporting emergencies. The level of technology used for 911 service in a particular 911 service area shall be determined by the governing bodies having jurisdiction over such area.~~

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~~001.01(H).~~ Next Generation 911 has the same meaning as Neb. Rev. Stat. § 86-1015.

~~001.01K(I).~~ Prepaid wireless telecommunications service means a wireless telecommunications service that allows a caller to dial 911 to access the 911 system, which service must be paid for in advance and is sold in predetermined units or dollars of which the number declines with use in a known amount. has the same meaning as Neb. Rev. Stat. § 86-902.

~~001.01L(J).~~ Primary place of use means for users of wireless service other than prepaid wireless service, the street address representative of where the use of wireless service primarily occurs. The place of primary use shall be the residential street address or the primary business street address of the user of the wireless service and shall be within the service area of the home service provider. For users of prepaid wireless service, primary place of use means the location associated with the telephone number assigned to the user. has the same meaning as Neb. Rev. Stat. § 86-429.01.

~~001.01M.~~ Pseudo-automatic number identification means a feature by which automatic number identification is provided to a PSAP of the ten digit telephone number of the specific cell site or cell site sector from which a wireless call originated.

~~001.01(K).~~ Primary PSAP means Public Safety Answering P

~~oints receiving funding from the 911 Service System fund and are the primary 911 answering point for a county. The commission is not required to fund more than one primary PSAP per county.~~

~~001.01N(L).~~ Public safety agency means an agency which actually provides firefighting, law enforcement, ambulance, emergency medical, or other emergency services. has the same meaning as Neb. Rev. Stat. § 86-1021.

~~001.01O(M).~~ Public sSafety Answering point Point (PSAP) means a twenty-four hour, local jurisdiction communications facility which receives 911 service calls and either directly dispatches emergency services or relays calls to the appropriate public safety agency. has the same meaning as Neb. Rev. Stat. § 86-1022.

~~001.01P(N).~~ Surcharge means the Enhanced Wireless 911 Surcharge collected pursuant to 86-1025 and used for the purposes of the 911 Service System Act.

~~001.01(O).~~ Secondary Communication Center means a communication center permitted to connect to the Nebraska Next Generation 911 system but does not have primary responsibility to answer 911 calls for any geographic area and meets all of the requirements of section 010.

~~001.01Q.~~ Ten digit telephone number means a telephone number assigned to a particular telephone account including the area code.

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~~001.01R.~~ ~~Wireless automatic location identification (ALI) means a feature by which information is provided to a PSAP identifying the location, the latitude and longitude within the parameters established by the Federal Communications Commission, of a wireless unit originating a call to a PSAP.~~

~~001.01S~~01(P). ~~Wireless carrier means any carrier of mobile service as referenced in 47 U.S.C. 153(27), as such section existed on January 1, 2007; any carrier of commercial mobile service as referenced in 47 U.S.C. 332(d)(1), as such section existed on January 1, 2007; any carrier of commercial mobile radio service as referenced in 47 C.F.R. 20.9, as such regulation existed on January 1, 2007; or any cellular radiotelephone service, licensees of a personal communications service, and specialized mobile radio services as referenced in 47 C.F.R. 20.9, as such regulation existed on January 1, 2007. References to wireless carrier include those wireless carriers providing prepaid wireless telecommunications service as defined in section 001.01K unless specifically exempted.~~  
has the same meaning as Neb. Rev. Stat. § 86-456.

~~001.01T~~01(Q). ~~Wireless service means any mobile service as defined in 47 U.S.C. 153 and 47 C.F.R. 27.4, as such section and regulation existed on January 1, 2007; any commercial mobile service as defined in 47 U.S.C. 332(d), as such section existed on January 1, 2007; or any commercial mobile radio service as referenced in 47 C.F.R. 20.9, as such regulation existed on January 1, 2007.~~ has the same meaning as Neb. Rev. Stat. § 86-456.01.

~~001.02 CONFIDENTIAL INFORMATION.~~ ~~Information provided by wireless carriers to the Advisory Board or the Commission pursuant to the Enhanced Wireless 911 Services Act may be treated as records which may be withheld from the public upon request of the party submitting such records if the information qualifies under subdivision (3) of section 84712.05.~~

001.03 IMMUNITY. The Commission, governing bodies, and public safety agencies may provide enhanced wireless 911 service. In contracting for and providing such service, except for failure to use reasonable care or for intentional acts, the Commission, each governing body, each public safety agency, each wireless carrier, and their employees and agents shall be immune from liability or the payment of damages in the performance of installing, maintaining, or providing enhanced wireless 911 service.

001.04 CIVIL PENALTY. The Commission may assess a civil penalty pursuant to section 75156 for each violation of any provision of the Enhanced Wireless 911 Services System Act or any rule, regulation, or order of the Commission issued under authority delegated to the Commission pursuant to the Act.

002 ENHANCED WIRELESS 911 SURCHARGE.

002.01 WIRELESS CARRIERS.

~~-002.01(A).~~ Each wireless carrier shall collect a surcharge from all active telephone numbers or functional equivalents every month from users of wireless service and shall be collected and remitted in accordance with the Neb. Rev. Stat. § 86-457, Commission order and section 003.

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~~002.01A1. A surcharge of up to seventy cents, except as provided in section 002.01A2 on all active telephone numbers or functional equivalents every month from users of wireless service and shall remit the surcharge in accordance with section 003.02.~~

~~002.01A2. A surcharge of up to fifty cents on all active telephone numbers or functional equivalents every month from users of wireless service whose primary place of use is in a county containing a city of the metropolitan class and shall remit the surcharge in accordance with section 003.02.~~

002.01(B) LIABILITY. The wireless carrier is not liable for any surcharge not paid by a customer.

002.01(C) BILLING STATEMENTS. The wireless carrier shall add the surcharge to each user's billing statement. The surcharge shall appear as a separate line item charge on the user's billing statement and shall be labeled as "Enhanced Wireless 911 Surcharge" or a reasonable abbreviation of such phrase.

002.01(D) RESELLERS. If a wireless carrier resells its service through other entities, each reseller shall collect the surcharge from its customers and shall remit the surcharge in accordance with section 003.02.

002.01(E) EXEMPTION.

002.01(E)(i)1. The surcharges authorized by this section shall not apply to prepaid wireless telecommunications service as defined in section 001.01K.

002.01(E)(ii)2. ~~This section does not apply to users who have no 911 service.~~ This section does not apply to users who are receiving services through the Nebraska Lifeline program and who do not receive a regular monthly bill for wireless services.

002.02 SETTING SURCHARGE. The Commission shall hold a public hearing annually to determine the amount of revenue necessary to carry out the Enhanced Wireless 911 Services System Act. After the hearing, the Commission shall ~~determine the amount of money to be deposited in the Fund for the following year and shall set the surcharge subject to the limitations set forth in~~ Neb. Rev. Stat. § 86-457.

003 WIRELESS CARRIER REMITTANCE AND REPORTING.

003.01 SCOPE. Each wireless carrier shall comply with all Commission rules and regulations regarding wireless 911 service. ~~Each wireless carrier shall comply with this section regardless of whether the wireless carrier receives reimbursement from the Fund.~~ Wireless carriers failing to comply with this section may be administratively fined by the Commission pursuant to section Neb. Rev. Stat. § 75-156.

003.02 REMITTANCES. Each wireless carrier, except with respect to prepaid wireless telecommunications service, shall remit monthly to the Commission amounts collected pursuant to sections 002.01 and 002.02 together with any forms required by the Commission no later than sixty days (60) from the last day of the month. The Commission shall remit the funds to the State Treasurer for credit to the Fund.

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003.03 QUARTERLY REPORTS. Each wireless carrier, except a wireless carrier whose users have no 911 service, shall report to the Commission on a quarterly basis for each county in a manner prescribed by the Commission.

003.03(A). Each wireless carrier shall provide the following information.

003.03(A)(i)1. The number of telephone numbers or functional equivalents served;

003.03(A)(ii)2. The number of telephone numbers or functional equivalents from which it has collected surcharge revenue; and

003.03(A)(iii)3. The number of wireless towers by county; ~~and~~

003.03A4. ~~The current implementation status of enhanced wireless 911 service in each county served by that wireless carrier.~~

003.03(B). The Commission will make available forms to be used for the filing of quarterly reports.

003.03C(C). Quarterly reports shall be filed by the 15<sup>th</sup> of the month following the close of the quarter. Any wireless carrier failing to timely file its quarterly report may be subject to administrative fines.

003.04 RECORDS. Wireless carriers shall maintain all records required by this section, records of the amounts collected pursuant to sections 002.01 and 002.02 and remittance records for a period of five (5) years after the date of remittance to the fund.

003.05 AUDITS. The Commission may require an audit of any wireless carrier's books and records concerning the collection and remittance of any amounts collected pursuant to sections 002.01 and 002.02.

003.05(A). The costs of any audit required by the Commission shall, at the Commission's discretion, be paid by the audited wireless carrier.

003.05(B). A wireless carrier shall not be required to pay for more than one remittance audit or more than one collection audit per year, unless the Commission orders subsequent audits for good cause.

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004 ~~ENHANCED WIRELESS~~ 911 [SERVICE SYSTEM](#) ADVISORY BOARD [COMMITTEE](#).

004.01 PURPOSE. The ~~Enhanced Wireless~~ 911 [Service System](#) Advisory Board ~~Board~~ [Committee](#) (~~Advisory Board~~ [Committee](#)) is created to advise the Commission regarding the implementation, development, administration, coordination, evaluation, and maintenance of ~~enhanced wireless~~ 911 service [system](#).

004.02 MEMBERSHIP. The ~~Advisory Board~~ [Committee](#) shall be composed of the following individuals appointed by the ~~Governor~~ [Commission](#), including.

004.02(A). ~~One sheriff;~~ [Two managers of Public Safety Answering Points, one of whom is employed by a county sheriff and one of whom is not employed by a county sheriff;](#)

004.02(B). Two county officials or employees;

004.02(C). Two municipal officials or employees;

004.02(D). ~~One~~ [Two](#) representatives from the ~~state's wireless telecommunications~~ industry;

004.02(E). ~~One manager~~ [representative](#) of a PSAP ~~not employed by a sheriff~~ [of the Nebraska Association of County Officials \(NACO\);](#)

004.02(F). One representative of the ~~state's local exchange telecommunications service~~ industry; and [League of Nebraska Municipalities; and](#)

004.02(G). ~~One member of the public.~~ [Four representatives of public safety agencies within the state, including an emergency manager, a member of a law enforcement agency, a member of a fire department, and a member of an emergency medical service as defined in section 38-1207;](#)

004.03 EX OFFICIO MEMBERS. The ~~Commissioner~~ [State 911 Director](#) and the Chief Information Officer or their designees shall serve as ex officio members on the ~~Board~~ and are not appointed by the governor [Committee](#).

004.04. Members of the ~~Board~~ [Committee](#), except for the two ex officio members, shall be appointed for a term of ~~staggered~~ three years [terms](#). Each succeeding members of the ~~Board~~ [Committee](#) shall be appointed for a term of three years.

004.04(A). [The following positions will expire on July 1, 2027, and every third year thereafter; both telecommunications representatives, the law enforcement public safety representative, and the representative for the League of Municipalities.](#)

004.04(B). [The following positions will expire on July 1, 2028, and every third year thereafter; the emergency management public safety representative, both county officials or employee representatives and both PSAP managers.](#)



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004.04(C). The following positions will expire on July 1, 2029, and every third year thereafter; fire department public safety representative, emergency medical service public safety representative, both municipal officials or employee representatives, and the NACO representative.

004.05 MEETINGS. The ~~Board~~ Committee shall meet as often as necessary to carry out its duties.

004.06 EXPENSES. Members of the ~~Board~~ Committee shall be reimbursed for their actual and necessary expenses as provided in Neb. Rev. Stat. §§ sections 81-1174 to 81-1177.

004.07 DUTIES. ~~The Advisory Board shall make recommendations to the Commission regarding the implementation of the Act, including.~~ The Committee may make any recommendations to the commission regarding the exercise of the commission's duties administering the 911 service system pursuant to section Neb. Rev. Stat § 86-1025, including recommending the adoption and promulgation of any rules and regulations necessary to carry out the purposes of the 911 Service System Act or the introduction of any legislation.

~~004.07A. The allocation of funds from the Fund as specified in section 86-465;~~

~~004.07B. Rules and regulations necessary to carry out the Act;~~

~~004.07C. Any adjustments in the surcharge amount to recommend to the Legislature; and~~

~~004.07D. The resolution of any disputes between PSAPs and wireless carriers.~~

004.08. The Commission may approve and implement any recommendations of the ~~Advisory Board~~ Committee.

005 ENHANCED WIRELESS-911 SERVICE SYSTEM FUND.

005.01. The Fund shall consist of the surcharges credited to the Fund, any money appropriated by the Legislature, any federal funds received for ~~wireless~~ emergency communication, and any other funds designated for credit to the Fund.

005.02 PERMITTED USES. Money in the Fund shall be used for the following purposes. The Commission, in consultation with the ~~Advisory Board~~ Committee, shall determine which costs are eligible for funding pursuant to the ~~permanent~~ funding mechanism.

005.02(A). Costs of administering the ~~Fund~~ 911 Service System.

005.02(B). Costs incurred, or to be incurred, ~~by wireless carriers to implement enhanced wireless 911 service pursuant to a service agreement with a PSAP or pursuant to a request for service from a PSAP which may include, but not be limited to,~~ by or on behalf of governing bodies or Public Safety Answering Points to provide 911 service that are determined by the commission to be eligible for funding. The commission is not required to provide funding from the 911 Service System Fund to more than one Public Safety Answering Point in any county. Each entity that receives disbursements from the fund under this subsection shall make a full accounting of the money in a manner and form prescribed by the commission.

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~~005.02(B)(i)1.~~ The portion of the costs for new equipment and services used for providing ~~enhanced wireless~~ Next Generation 911 service;

~~005.02(B)(ii)2.~~ Costs to lease another vendor's equipment or services to provide ~~enhanced~~ Next Generation ~~wireless~~ 911 service;

~~005.02(B)(iii)3.~~ Costs to create or maintain any data base or data base elements used solely for ~~enhanced wireless~~ Next Generation 911 service; and

~~005.02(B)(iv)4.~~ Other costs of establishing ~~enhanced wireless~~ Next Generation 911 service.

~~005.02C~~ Costs incurred or to be incurred by PSAPs to implement ~~enhanced wireless~~ 911 service including but not limited to:

~~005.02C1.~~ Purchases of new equipment used for the provision of ~~enhanced wireless~~ 911 service;

~~005.02C2~~ ~~005.02(B)(v)5.~~ Costs of upgrades, modification and personnel training used solely to process the data elements of ~~enhanced wireless~~ Next Generation 911 service;

~~005.02C3~~ ~~005.02(B)(vi)6.~~ Maintenance costs and license fees for new equipment used for the provision of ~~enhanced wireless~~ Next Generation 911 service; and

~~005.02C4~~ ~~005.02(C).~~ Costs incurred, or to be incurred, for the purchase, installation, maintenance, and operation of telecommunications equipment and telecommunications services required for the provision of ~~enhanced wireless~~ Next Generation 911 service.

~~005.02(D).~~ Expenses incurred by members of the ~~Advisory Board~~ Committee while performing duties required by the Act.

005.03 PROHIBITED USES. Money in the Fund shall not be used for the following purposes.

~~005.03A.~~ Any portion of the costs of equipment or services used in the wireless carrier's main infrastructure resulting in revenue to the wireless carrier;

~~005.03B~~ ~~003(A).~~ Costs incurred to purchase, install or maintain street signs;

~~005.03C~~ ~~003(B).~~ Any costs not directly in support of the implementation or provision of ~~enhanced wireless~~ Next Generation 911 service.

~~005.04.~~ A wireless carrier receiving funds from the Fund shall not directly assess any of the costs associated with the implementation or provision of ~~enhanced wireless~~ 911 service to any PSAP, county, or municipality without the express consent of the Commission.

006 PSAP FUNDING PROCESS.



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~~006.01. Funding for wireless carriers and PSAPs~~ [funding](#) is determined by the permanent ~~NG 911 funding mechanism—~~[model](#) established by the Commission. The permanent ~~NG911 funding mechanism—~~[model](#) may be modified by Commission order at the discretion of the Commission.

006.01(A) [PREREQUISITES FOR PSAP FUNDING](#).

~~006.01A1 PREREQUISITES FOR FUNDING.~~ In order to receive funding, the following eligibility requirements must be met:

~~006.01A1a~~[01\(A\)\(ii\)](#)2. PSAPs must maintain funds received in a separate account or fund and provide all necessary account information to the Commission;

~~006.01A1b~~[01\(A\)\(iii\)](#)3. PSAPs must be connected to the selective router ~~Next Generation 911 System; Secondary Communication centers are not eligible for funding~~;

~~006.01A1c~~[01\(A\)\(iv\)](#)4. PSAPs must make arrangements for the maintenance of all equipment and software necessary for the provision of ~~enhanced wireless~~ [Next Generation](#) 911 service;

~~006.01A1d~~[01\(A\)\(v\)](#)5. PSAPs must have made arrangement or retained trained personnel to ensure all GIS data necessary for the mapping of ~~enhanced wireless~~ 911 calls is current and accurate;

~~006.01A1e~~[01\(A\)\(vi\)](#)6. PSAPs must provide all GIS data and updates to the statewide GIS repository; and

~~006.01A1f~~[01\(A\)\(vii\)](#)7. PSAPs must certify and are responsible for complying with all applicable state and local bidding requirements for the purchase of goods or services related to the provision of ~~enhanced wireless~~ 911 [services](#).

[006.01\(A\)\(viii\)](#)8. [PSAPs must adhere to, and certify compliance with the Training Requirements of section 009.](#)

[006.01\(A\)\(ix\)](#)9. [PSAPs must utilize the state's approved data analytics provider and report requested data.](#)

[006.01\(A\)\(x\)](#)10. [PSAPs must permit cybersecurity assessments and testing provided by the State 911 Department to ensure the integrity of the state's 911 system.](#)

~~006.01A2—~~[01B ELIGIBLE PSAP COSTS](#). PSAPs may use [911 Service System](#) funds provided through the permanent funding mechanism to pay the following costs. The Commission may approve additional costs by Commission order consistent with the limitations set forth in section 005.02.

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~~006.01A2a~~01(B)(i)1. The purchase and installation of equipment and software necessary for the provision of ~~wireless-enhanced~~Next Generation 911 service; ~~based upon the wireline/wireless ratio established by the Commission or the wireline/wireless call ratio established by the PSAP;~~

~~006.01A2b~~01(B)(ii)2. Costs of upgrades to equipment and software necessary for the provision of ~~wireless-enhanced~~Next Generation 911 service. ~~Such costs are subject to the wireline/wireless ratio established by the Commission or the wireline/wireless call ratio established by the PSAP;~~

~~006.01A2c~~01(B)(iii)3. Maintenance costs for eligible equipment and software; ~~subject to the wireline/wireless ratio established by the Commission or the wireline/wireless call ratio established by the PSAP;~~

~~006.01A2d~~01(B)(iv)4. Costs related to GIS data necessary for the provision of ~~wireless-enhanced~~Next Generation 911 service. ~~—subject to the wireline/wireless ratio established by the Commission or the wireline/wireless call ratio established by the PSAP, unless otherwise ordered by the Commission. Upon order of the Commission, a PSAP employing inhouse personnel to maintain GIS data may be permitted to utilize funds for these personnel costs.~~

~~006.01A2e. Telecommunications services required for the provision of enhanced wireless 911 service including trunking and connection to the selective router. A dedicated wireless 911 trunk is eligible for full funding; however, shared facilities are subject to the wireline/wireless ratio established by the Commission or the wireline/wireless call ratio established by the PSAP;~~

~~006.01A2f. Local exchange carrier charges for the transportation of enhanced wireless 911 calls. Such costs will be paid directly by the Commission pursuant to the permanent funding mechanism.~~

~~006.01A2g~~01(B)(v)5. Training related to the provision of ~~enhanced wireless~~Next Generation 911 service; ~~—not to exceed 5% of the funds allocated to the PSAP;~~

~~006.01A2h~~01(B)(vi)6. Costs of translation services provided through service contracts necessary for the process of ~~wireless-enhanced~~ 911 calls. ~~Such expenses are shared between landline and wireless 911 service and shall be subject to the wireless/wireline ratio established by the Commission or the wireline/wireless call ratio established by the PSAP.~~

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~~006.01A2i~~01(B)(vii)7. Reasonable Personnel expenses for dispatchers who receive and process wireless enhanced 911 calls. ~~Such expenses are shared between landline and wireless 911 service and shall be subject to the wireless/wireline ratio established by the Commission or the wireline/wireless call ratio established by the PSAP.~~ Personnel expenses may include a dispatcher's actual salary and fringe benefits. Fringe benefits include, but are not limited to, the costs of leave, employee insurance, pensions, and unemployment benefits. Fringe benefits also include employer contributions or expenses for social security; employee life, health, unemployment, and worker's compensation insurance; pension plan costs, provided such benefits are reasonable, required by law or permitted under established written policies.

Should a dispatcher have duties beyond the receipt and processing of 911 calls, the personnel costs of the dispatcher should be prorated based upon the time spent on other duties. ~~Wireless 911~~ Service System funds may not be used for costs associated with general administrative support or any person not directly responsible for receiving and processing wireless 911 calls; and

~~006.01A2i~~01(B)(viii)8. Any other costs deemed eligible by Commission order.

~~006.01A3~~01(C) INELIGIBLE PSAP COSTS. Funds may not be used for the following costs.

~~006.01A3a~~01(C)(i)1. Any costs not associated with the provision of ~~enhanced wireless 911 service~~;

~~006.01A3b~~01(C)(ii)2. The purchase, installation, or maintenance of street signs;

~~006.01A3c~~01(C)(iii)3. The purchase, installation, or maintenance of radio equipment outside the PSAP;

~~006.01A3d~~01(C)(iv)4. Any other costs deemed ineligible by Commission order.

~~006.01A4~~01(D). The Commission is not required to provide compensation for costs to more than one PSAP in any county.

006.01B WIRELESS CARRIER FUNDING.

006.01B1 PREREQUISITES FOR FUNDING. In order to receive funding, the following eligibility requirements must be met.

~~006.01B1a.~~ ~~Wireless carriers must certify compliance with federally established testing and accuracy standards as set forth in 47 C.F.R. 20.18(h);~~

~~006.01B1b.~~ ~~Wireless carriers must report and account for any additional funding that may support 911 services including, but not limited to, federal or state universal service funds, federal or state grant funds and revenues generated through surcharges imposed by the carrier or costs billed to consumers for location based services;~~

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~~006.01B1c. Wireless carriers must timely file accurate quarterly reports; remittances; and remittance worksheets. Failure to do so may result in a suspension or termination of funding; and~~

~~006.01B1d. Additionally, prerequisites may be imposed by Commission order.~~

~~006.01B2 ELIGIBLE WIRELESS CARRIER COSTS. Wireless carriers may use funds provided through the permanent funding mechanism to pay the following costs regardless of whether the costs are associated with Phase I or Phase II enhanced wireless 911 service. Costs below, with the exception of costs set forth in section 006.01B2c are funded through a recurring monthly payment from the Fund. The Commission may approve additional costs by Commission order consistent with the limitations set forth in section 005.02.~~

~~006.01B2a. Costs associated with database management and upgrade costs necessary to provide enhanced wireless 911 service;~~

~~006.01B2b. Costs for the transportation and facilities necessary to carry enhanced wireless 911 calls to the selective router;~~

~~006.01B2c. Costs for capital expenses directly related to the provision of enhanced 911 service, including new equipment, software and upgrades.~~

~~006.01B2d. Administrative costs.~~

~~006.01B2e. Any other costs deemed eligible by Commission order.~~

~~006.01B3 INELIGIBLE WIRELESS CARRIER COSTS. Funds may not be used for the following costs.~~

~~006.01B3a. The construction of wireless towers; or~~

~~006.01B3b. Any other costs deemed ineligible by Commission order.~~

~~006.01B4 WIRELESS CARRIER GRANT PROGRAM. Funds allocated to individual wireless carriers who have opted to not seek funding from the Fund are made available to eligible wireless carriers through a grant application process to recover capital expenses or other onetime costs incurred for the provision of enhanced wireless 911 service but not covered by the general funding disbursed to carriers on a monthly basis through the permanent funding mechanism.~~

~~006.01B4a. No more than twenty-five percent (25%) of the total support amount allocated to wireless carriers may be spent on grant funding. Any funds in excess of this cap will be returned to the total funds available for both PSAPs and wireless carriers and reallocated the following funding year.~~

~~006.01B4b. Any available grant funds not awarded in one year will be rolled into available funds for distribution to PSAPs and wireless carriers for the following funding year.~~

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~~006.01B4c. Grant funds may not be used for the construction of wireless towers.~~

~~006.01B4d. The Commission may modify or eliminate the grant program by Commission order at its discretion.~~

007 PSAP FUNDING APPLICATION PROCESS.

007.01 PSAP APPLICATIONS FOR GENERAL FUNDING.

007.01(A) INITIAL APPLICATIONS FOR FUNDING. Initial applications for general funding shall be filed no later than April 15<sup>th</sup> March 31st prior to the beginning of the funding year for which funds are requested.

007.01(A)(i) CONTENTS OF THE APPLICATION. An application filed by a PSAP for general funding shall contain the following minimum information. The Commission or department may request additional information as needed.

007.01(A)(i)(4a). Certification that the PSAP has met all of the prerequisites to funding outlined in section 006.01A including a description of the means by which the PSAP has satisfied each of the requirements;

007.01(A)(i)(4b). Detailed contact information for the person who shall be responsible for communicating with the Commission regarding the application and funding issues. Contact information should include, name, title, mailing address, telephone number, fax number and email address.

007.01(A)(i)(c)4e. For first time applicants, Specifications—specifications of the PSAP's current equipment and software, including the type and model or version, the number of call taker positions, software version and a statement as to whether the equipment is IP compatible and meets NENA standards. The PSAP should also include the date of installation and the date of the last upgrade or update. For renewal applications, provide any change in any of the information previously provided and the last date of software update.

007.01(A)(i)(4d). Specifications regarding the PSAP's mapping software, including the date of installation and the last upgrade.

007.01A1e. ~~A description of the area served by the PSAP and the current level of implementation of both landline and wireless 911 service.~~

007.01A1f. ~~The current level of the landline 911 surcharge implemented.~~

007.01A1g01(A)(i)(4e)e. A description of other funding sources available to the PSAP including local, state and federal funds.

007.01A1h. ~~A report of wireless and wireline 911 call volumes by month for the previous twelve month period.~~

007.01A1i01(A)(i)(4f). A description of what specific costs for which the PSAP intends to use enhanced wireless-911 Service System funds.

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~~007.01A1j. Specify the percentage if any that the PSAP intends to set aside for the future purchase or upgrade of equipment and software.~~

~~007.01A1k~~01(A)(i)(4g). For first time applicants, Attach~~attach~~ copies of all equipment, software, and GIS data maintenance contracts and any interlocal agreements regarding 911 service. For renewal applications, attach any new or renewed contracts or agreements.

007.01B ANNUAL UPDATES TO APPLICATIONS FOR FUNDING. Any PSAP receiving funding for the prior funding year shall submit an update to the information set forth in its previous application and, as required in section 007.01A, no later than April 15<sup>th</sup> March 31st prior to the beginning of the funding year for which funds are requested. The Commission or the department may request additional information.

~~007.01B1. In addition to describing any changes to the previous information, the update must include the wireless and wireline call volumes per month for the most recent twelve month period.~~

~~007.01B2. The Commission or the department may request additional information.~~

007.01C APPLICATIONS FOR THE PURCHASE AND UPGRADE OF EQUIPMENT AND SOFTWARE. Any PSAP wishing to utilize amounts set aside for further purchases and upgrades of equipment and software must file an application with the Commission.

~~007.01C1. Applications must include the following information:~~

~~007.01C1a. A detailed description of the equipment and software including all specifications;~~

~~007.01C1b. A statement that the PSAP has complied with all state and local bidding requirements;~~

~~007.01C1c. A detailed breakdown of the costs of the equipment, software and installation;~~

~~007.01C1d. A description of the funding being used for the purchase including landline 911 surcharge revenues, general funds, grant funding and enhanced wireless 911 funds;~~

~~007.01C1e. The expected delivery and installation dates; and~~

~~007.01C1f. Copies of all contracts related to the purchase and installation of the equipment and software.~~

007.01C2. All applications to utilize funding for equipment and software purchases and upgrades are subject to review by the ~~Advisory Board~~ Commission.

~~007.01C3. Funds set aside for the purchase of equipment and software cannot be used during a subsequent funding year for any other purpose. Any funds not used within ten years of being set aside must be returned to the Fund.~~



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007.01D. Any PSAP failing to timely file an initial application for funding or an update to an application for funding by the April 15<sup>th</sup> March 31st deadline may lose funding for the following funding year.

~~007.02 WIRELESS CARRIER APPLICATIONS FOR GENERAL FUNDING.~~

~~007.02A WIRELESS CARRIER INITIAL APPLICATIONS FUNDING.~~ Initial applications for general funding shall be filed no later than April 15<sup>th</sup> prior to the beginning of the funding year for which funds are requested.

~~007.02A1 CONTENTS OF THE APPLICATION.~~ An application filed by a wireless carrier for general funding shall contain the following minimum information. The Commission or department may request additional information as needed.

~~007.02A1a.~~ Certification that the wireless carrier has met all of the prerequisites to funding outlined in section 006.01B including a description of the means by which the wireless carrier has satisfied each of the requirements.

~~007.02A1b.~~ Detailed contact information for the person who shall be responsible for communicating with the Commission regarding the application and funding issues. Contact information should include, name, title, mailing address, telephone number, fax number and email address.

~~007.02A1c.~~ Certification that the wireless carrier is in compliance with federally established testing and accuracy standards as set forth 47 C.F.R. 20.18(h).

~~007.02A1d.~~ A report of any additional funds from other sources in support of 911 services including, but not limited to, federal or state universal service funds, federal or state grant funds and revenues generated through surcharges imposed by the carrier or costs billed to consumers for location based services.

~~007.02A1e.~~ A certification that the wireless carrier is in compliance with Commission quarterly reporting requirements, surcharge remittances, and remittance worksheet filing requirements.

~~007.02A1f.~~ A description of the eligible costs for which the wireless carrier intends to use funds.

~~007.03 WIRELESS CARRIER APPLICATIONS FOR GRANT FUNDING.~~

~~007.03A WIRELESS CARRIER APPLICATIONS FOR GRANT FUNDING.~~ Applications for grant funding shall be filed no later than October 15<sup>th</sup> prior to the beginning of the funding year for which funds are requested.

~~007.03A1 CONTENTS OF THE APPLICATION.~~ An application filed by a wireless carrier for grant funding shall contain the following minimum information. The Commission or department may request additional information as needed.

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~~007.03A1a. Certification that the wireless carrier has met all of the prerequisites to funding outlined in section 006.01B including a description of the means by which the PSAP has satisfied each of the requirements.~~

~~007.03A1b. Detailed contact information for the person who shall be responsible for communicating with the Commission regarding the application and funding issues. Contact information should include, name, title, mailing address, telephone number, fax number and email address.~~

~~007.03A1c. Detailed budget of the proposed project and supporting documentation for the project costs.~~

~~007.03A1d. Information regarding vendors to be used for the project and copies of contracts with vendors.~~

~~007.03A1e. Disclosures of any affiliations between the vendor and the wireless carrier.~~

~~007.03A1f. Statement regarding 911 and/or public safety related funds received by the wireless carrier from other sources including, but not limited to, any stimulus money, other grant funds, 911 or public safety funds from other states used to support costs of providing 911 service.~~

~~007.03A1g. Certification that funds requested for the project will support only the Nebraska 911 system.~~

~~007.03B. All applications for grant funding will be reviewed by the Advisory Board and will be subject to a hearing before the Commission.~~

~~007.03C. Any approved grant funds will be paid after the completion of the project based upon the submission of invoices or other appropriate documentation substantiating the costs.~~

~~007.03D. Any funds not awarded in one year will be made available for distribution to PSAPs and wireless carriers in the following funding year.~~

~~007.03E. Any wireless carrier failing to timely file any application for funding or an update to an application for funding by the required deadline may lose funding for the following funding year.~~

008 ANNUAL VERIFICATION REGARDING USE OF FUNDS.

~~008.01. Both wireless carriers and PSAPs shall submit all invoices and other supporting documentation to the Commission to demonstrate that all funds for the previous funding year were used for eligible costs including an accounting by PSAPs of all funds set aside for future equipment and software purchases and upgrades.~~

~~008.01(A). Such verification shall be filed with the Commission no later than October 15<sup>th</sup> following the close of the funding year.~~

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008.01(B). Failure to submit the required verification may result in a suspension of funding for the current funding year and/or a loss of funding for the following funding year.

~~008.02.~~ If the Commission determines that any funds were not used appropriately, funding for the following funding year would be adjusted to recover any necessary funds.

008.03. If the Commission determines that any funds were not used in compliance with statute, regulation or Commission order, the PSAP must repay the funds to the Commission or the Commission may elect to adjust the following year's allocation.

~~008.03~~04. All PSAPs and wireless carriers receiving funding are subject to audit.

009 TRAINING STANDARDS

009.01. All PSAPs and Secondary Communications centers must adhere to the training standards adopted by the Commission and attached hereto as "Attachment A" and incorporated by reference.

010 REQUIREMENTS FOR SECONDARY COMMUNICATIONS CENTERS

010.01 ~~Requirements.~~ REQUIREMENTS.

010.01(A). In order for a secondary communication center to connect to Nebraska's Next Generation 911 System the secondary communication center must comply with the following requirements:

010.01(A)(i)4. Complete an initial application and submit it to the State 911 Department. Initial applications will include:

010.01(A)(ii)2. Obtaining sponsorship from a PSAP who will has agreed to transfer calls to the secondary communications center and join that PSAPs region.

010.01(A)(iii)3. Signature and certification of compliance with applicable Public Service Commission regulations and the training standards found in section 009.

010.01(A)(iv)4. Each application must receive a majority vote by the Committee recommending a PSAP be allowed to connect to the state 911 system.

010.01(B). The Secondary Communications center must have call handling equipment approved by their respective region.

010.01(C). Purchase the necessary licensing for the state data analytics software vendor.

010.01(D). Each secondary communication center must report annually on March 15th verification of continued compliance with all applicable state law, regulations and Commission orders. Such annual certification must also include certification from the sponsoring PSAP that interoperability between the secondary communication center

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and the PSAP has been tested as needed and determined by the sponsoring PSAP and is working appropriately and that the secondary communication's center's call handling equipment meets regional requirements.

010.01(E). Approval by the Commission.

010.02. Secondary Communication Centers are ineligible to receive 911 Service System Funds.